
**State Government & Tribal Affairs
Committee**

HB 3047

Brief Description: Concerning the University of Washington's public works contracting procedures.

Sponsors: Representatives White, Dunshee and Morrell.

Brief Summary of Bill

- Authorizes the University of Washington to establish a special public works roster process for awarding contracts for construction, building, renovation, remodeling, alternation, repair, or improvement of university buildings and facilities in which critical patient care or highly specialized medical research is located.

Hearing Date: 1/29/10

Staff: Marsha Reilly (786-7135).

Background:

Competitive Bid Requirements.

By law the University of Washington (UW) must competitively bid public works projects that are estimated to cost in excess of \$45,000 if the work involves one trade or craft area, or \$60,000 if multiple trades or craft areas are involved. Projects estimated under these dollar amounts may be contracted without a competitive bid or may be performed by employees. Generally, the procedures for competitive bid require that complete plans and specifications be drawn, the project be advertised, and sealed bids be submitted and opened in public.

Small Works Roster Process.

One method of competitive bidding that may be used for projects estimated at \$300,000 or less is the small works roster process. Under that procedure, a single roster of potential contractors may be created or different rosters for contractors of different specialties or categories of anticipated

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work. In addition, distinctions may be made between contractors based on geographic areas. The agency or local government may solicit bids from all appropriate contractors on the roster, but at a minimum five bids must be solicited. The contract, if awarded, is awarded to the lowest responsible bidder. An effort must be made to equitably distribute the opportunity among contractors on the appropriate roster if bids are solicited from less than all contractors on the roster.

Summary of Bill:

The UW is authorized to create a special public works roster process for awarding contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of university buildings and facilities in which critical patient care or highly specialized medical research is located. The process may be used when the estimated cost of the work is equal to or less than \$5 million. A single roster or several rosters for different trade specialties may be established.

To establish this process, the UW must publish notice in a newspaper of the existence of the roster or rosters and solicit a statement of qualifications from contractors who wish to be on a roster. Qualified contractors shall be added to a roster at any time they submit a written request, necessary records, and meet the qualifications established by the UW. The UW may require eligible contractors to keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with the UW as a condition of being placed on a roster.

At a minimum, the public solicitation of qualifications must include:

- a description of the types of projects to be completed;
- the reasons for using the roster process
- a description of the required qualifications;
- a description of the evaluation process, including evaluation factors and the relative weight of factors;
- the form of the contract to be awarded; and
- a description of the appeal processes.

The UW shall make an effort to solicit proposals from certified minority or certified woman-owned contractors.

The UW must establish a committee to evaluate contractor qualifications. At a minimum, evaluation criteria shall include:

- the ability of a contractor's professional personnel;
- the contractor's past performance on similar projects;
- the contractor's ability to meet time and budget requirements;
- the contractor's ability to provide preconstruction services, as appropriate;
- the contractor's capacity to successfully complete the project;
- the contractor's approach to safety and the contractor's safety history; and
- the contractor's record of performance, integrity, judgment, and skills.

Any contractor meeting the evaluation committee's criteria for selection must be placed on the applicable roster or rosters.

The UW must establish a procedure for securing written quotations from contractors on the roster to assure a competitive price. Invitations for quotations must include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. Award of a project is made to the contractor who submits the low, responsive bid.

The UW must provide a yearly report to the Capital Projects Advisory Review Board beginning in September 2010. The report must include a list of rosters used, contracts awarded, and a description of outreach to and participation by women and minority-owned businesses.

The act contains a sunset clause and terminates June 30, 2015.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.